

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL GEARY WILSON,

Plaintiff,

v.

LEIGH LAW GROUP, P.C, (LLG), et al.,

Defendants.

Case No. [20-cv-03045-MMC](#)

**ORDER EXTENDING DEADLINE TO
FILE OPPOSITION TO MOTION
REQUESTING PLAINTIFF BE
DEEMED A VEXATIOUS LITIGANT**

On June 23, 2020, defendant Mount Diablo Unified School District (“Mt. Diablo”) filed a “Motion Requesting Plaintiff Be Deemed a Vexatious Litigant,” and, pursuant to the Civil Local Rules of this district, plaintiff Michael Geary Wilson’s (“Wilson”) opposition was due no later than July 7, 2020. See Civil L.R. 7-3(a).

On July 23, 2020, no opposition having been filed, the Court took the matter under submission. Later that same date, Wilson filed a request for a 21-day extension of the deadline to submit opposition, and the Court, by order filed July 29, 2020, extended the deadline to August 10, 2020. On August 17, 2020, no opposition having been filed, Mt. Diablo filed a “Reply,” pointing out that fact and providing further argument in support of its motion. Later that same date, Wilson filed a request for a 28-day extension, and the Court, by order filed September 10, 2020, extended the deadline to October 9, 2020.

Now before the Court is Wilson’s “Ex Parte Application . . . to Change Deadline for Filing his Response to [Mt.] Diablo’s 6/23/2020 Fraudulent Vexatious Litigant/Security Motion” (“Application”), filed October 7, 2020.¹ By said Application, Wilson seeks a

¹ Two days thereafter, on October 9, 2020, Wilson filed the following documents: “Incomplete Opposition to [Mt.] Diablo’s 6/23/2020 Fraudulent Motion” and “Incomplete Declaration in Support of His Incomplete Opposition to [Mt.] Diablo’s 6/23/2020 Fraudulent Motion.”

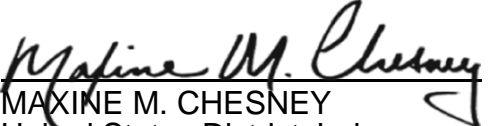
1 further extension of “at least 21 days after: a. The resolutions of [his] pending and
2 forthcoming appeals and petitions involving the cases identified as bases for [Mt.]
3 Diablo’s . . . Motion; and b. [Mt.] Diablo states the ‘issues to be decided’ in an Amended
4 M[emorandum of Points and Authorities].” (See Application ¶ 11.)² The Court, having
5 considered Wilson’s Application, rules as follows.

6 The instant Application, unlike Wilson’s previous requests, is essentially open-
7 ended. Although Wilson contends “several” of the above-referenced “appeals and
8 petitions” will “significantly affect” his opposition to Mt. Diablo’s motion (see id. ¶ 12), he
9 does not specify which “appeals and petitions” would have such effect, nor does he
10 provide any facts bearing on when such appellate matters might be resolved.

11 Nevertheless, the Court will afford Wilson one final opportunity to oppose Mt.
12 Diablo’s motion and hereby EXTENDS to November 13, 2020 the deadline to file his
13 opposition. Wilson is hereby advised that, if he fails to submit opposition by said
14 deadline, the Court will construe the above-referenced “Incomplete Opposition” as his
15 opposition.

16 **IT IS SO ORDERED.**

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18 Dated: October 14, 2020


MAXINE M. CHESNEY
United States District Judge

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26 ² Wilson, citing Civil Local Rule 7-4, contends Mt. Diablo’s motion is procedurally
27 deficient in that, according to Wilson, it lacks a “statement of the issues to be decided.”
28 (See Application ¶ 6 (quoting Civil L.R. 7-4(a)(3)).) In a section titled “Introduction,”
however, Mt. Diablo sets forth information that fully meets that requirement. (See Mot.
at 3:6-5:7.)